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TID
Attorney Docket No. 087102 0272558
MPS

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: REED, et al.

) Certificate of Mailing Under 37 CFR §1.8

Serial No.: 10/071,174

) I hereby certify that on the date indicated below, this
paper and the attached papers are being delivered via
U.S. First Class Mail, postage pre-paid addressed to:

Filing Date: February 7, 2002

) Assistant Commissioner for Patents
Washington, DC 20231, on this date

For: APOPTOSIS MODULATOR
BCL-B AND METHODS FOR
MAKING AND USING SAME

) *Karyn F. Massie*
Karyn F. Massie

7/10/02
Date

TRANSMITTAL LETTER

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Transmitted herewith for filing are the following:

1. Filing Completion Under Rule 53(f);
2. Declaration of Inventorship;
3. Assignment Coversheet;
4. Assignment;
5. Power of Attorney of Assignee;
6. Statement Under 37 CFR 3.73(b);
7. Copy of Notice of Missing Parts; and
8. Return Postcard.

The Commissioner is hereby authorized to charge any fee, including any submitted herewith, if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire

pendency to or to credit any overpayment to Deposit Account 03-3975.

Respectfully submitted,

PILLSBURY WINTHROP LLP

Date: July 10, 2002

By 
Robert M. Bedgood, Ph.D., Reg. No. 43,488

11682 El Camino Real, Suite 200
San Diego, CA 92130-2593
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Direct Line: (858) 509-4065



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/071,174	02/07/2002	John C. Reed	087102/0272558

CONFIRMATION NO. 2991

FORMALITIES LETTER



OC000000007786573

Pillsbury Winthrop LLP
Suite 1800
101 W. Broadway
San Diego, CA 92101

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Date Mailed: 04/03/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

Y.G.
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/19/2002 HMKRZ11 00000065 10071174
01 FC:205
65.00 00

Certificate of Mailing Under 37 C.F.R. §1.10

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being mailed via "First Class Mail" service of the United States Postal Services on the date shown below in an envelope addressed to the Assistant Commissioner for Patents, U.S. Patent and Trademark Office, Washington D.C. 20231.

Dated: July 10, 2002

By: 
Karyn F. MassieCOPY OF PAPERS
ORIGINALLY FILED**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****FILING COMPLETION UNDER RULE 53(f)**

(NOT PCT Applications)

For Design, Provisional, or Utility Applications

PATENT
APPLICATION

07/19/2002 HMARZI1 00060005 10071174

200.00 OP

**COMPLETION Under
Rule 53(f)**In re PATENT APPLICATION of

Attn: Application Division

Inventor(s): John C. REED; Ning KE; and Adam GODZIK

Appln. No.: 10 | 071,174 Atty.Dkt. P 087102/272558 |
Series Code ↑ Serial No. ↑ M# Client Ref

Filed: February 7, 2002

Title: APOPTOSIS MODULATOR BCL-B AND METHODS FOR MAKING AND USING SAME

Hon. Commissioner of Patents
Washington, DC 20231

Date: July 10, 2002

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

1. **Notice to File Missing Parts** copy attached not yet received
 2. Signed Declaration attached. Original Facsimile/Copy

(Always "X" box 2 if filling signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or
 "X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A. Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
 2B. The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.

3. Specification originally filed in non-English language; hence verified translation attached:
 a. Abstract
 b. # pages of Specification(only spec. & claims)
 c. Drawing(s)

No of Sheets

 Fig(s).

4. Letter filing formal drawing attached.

5. Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.

6. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1) 60/267,166	February 7, 2001	(2)	
(3)		(4)	

7. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in _____

8.

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	

Completion Under Rule 53(f)

9. _____ (No.) Certified copy (copy's): attached; previously filed (date) _____
in U.S. Application No. / _____ filed on _____
10. Small Entity Status is Not claimed is claimed (file PAT-256 if this is the first claim of Small Entity Status)
11. Attached:
12. Please see the attached Preliminary Amendment which reduces the number of claims for purposes of reducing the initial filing fee.

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY
CHANGED BY PRELIMINARY AMENDMENT PER ITEM 12 ABOVE**

		Large/Small Entity		Fee Code
13. Basic Filing Fee	Design Application Not Design Application	\$330/\$165 \$740/\$370	+0	106/26 101/201
14. Total Effective Claims	minus 20 =	x \$18/\$9	+0	103/203
15. Independent Claims	minus 3 =	x \$84/\$42	+0	102/202
16. If any proper multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)		\$280/\$140	+0	104/204
17. Surcharge for filing Declaration/filing fee late		\$130/\$65	+65	105/205
18.		FILING FEE =	\$65	
19. Original due date:	June 3, 2002			
20. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo) (2mos) (3mos) (4mos)	\$110/\$55 = \$400/\$200 = \$920/\$460 = \$1,440/\$720 =	+200 115/215 116/216 117/217 118/218	
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee		\$130	+0	139
22. If "assignment" box 5 is X'd, add recording fee.....		\$40	+40	581
23. Petition Fee for		\$130	+0	
24.		TOTAL FEE =	\$305	
			FEE ENCLOSED	

Our Deposit Account No. 03-3975

Our Order No.

087102

0272558

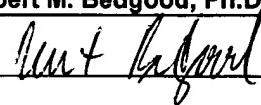
C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP
Intellectual Property Group**

11682 El Camino Real, Suite 200
San Diego, CA 92130-2593
Tel: (619) 234-5000

By Atty: Robert M. Bedgood, Ph.D.Reg. No. 43,488Sig: Fax: (858) 509-4010
T l: (858) 509-4065

Atty/Sec: RMB/kfm

NOTE: File in duplicate with PTO receipt (PAT-103A) and attachm nts



#6

STATEMENT UNDER 37 C.F.R. § 3.73(b)

Title of Application: APOPTOSIS MODULATOR BCL-B AND METHODS FOR MAKING AND USING SAME

Application Ser. No.: 10/071,174

Filed: February 7, 2002

Inventors: John C. Reed, Adam Godzik and Ning Ke

Attorney Docket No.: 087102-027 2558

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THE BURNHAM INSTITUTE, a non-profit organization, states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the application. A copy of the executed assignment, submitted for recording, is attached hereto as documentary evidence of the chain of title to the assignee.

The undersigned is empowered to sign this statement on behalf of the assignee.

Date: 6/11/2002

Signature: 

Name: John M. Campbell

Title: Director of Intellectual Property

THE BURNHAM INSTITUTE
10901 North Torrey Pines Road
La Jolla, California 92037 USA